THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 13041 of 2006

Oral order:

The petitioner is questioning the order of suspension dated 14.06.2006, passed by the respondent.

The learned counsel for the petitioner submits that the impugned suspension order has been passed based on a telephonic conversation, wherein the petitioner is alleged to have demanded 5-10% commission from the contractor. He submits that telephonic conversation, allegedly with a third party, cannot be made use of for placing the petitioner under suspension.

The petitioner, though has been placed under suspension, based on telephonic conversation, the fact remains, charges of corruption are leveled. When an employee is placed under suspension on charges of corruption and that too pending enquiry, it is not proper for this Court to interfere with the same, and more so when suspension pending enquiry is not a punishment. An employee is placed under suspension only to facilitate a free and fair enquiry and ensure that the employee does not influence any witnesses.

However, the petitioner is at liberty to submit his explanation to the impugned suspension order, and if the petitioner submits his explanation, the respondents shall consider the case of the petitioner for revocation of suspension in the light of the material available on record.

With the observations as above, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 30th June, 2006.
KSR